APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,071	01/04/2002	Craig Storms	30566.203-US-01	7330

22462   7590   10/19/2005

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EXAMINER
BETIT, JACOB F

ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/038,071	STORMS ET AL.
	Examiner	Art Unit	
	Jacob F. Betit	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 July 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-89_ is/are pending in the application.

    4a) Of the above claim(s) _1-11,25-37,51-63 and 77-89_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _12-24,38-50 and 64-76_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Remarks

1.   In response to communications filed on 21-July-2005, claims 12-16, 23, 38-42, 49, 64-68,

70 and 75 are amended per applicant's request. Claims 1-89 are presently pending in the

application of which claims 1-11, 25-37, 51-63, 77-89 are withdrawn from consideration.

Election/Restrictions

2.   This application contains claims 1-11, 25-37, 51-63 and 77-89 drawn to an invention

nonelected with traverse in the paper dated 13 January 2005. A complete reply to the final

rejection must include cancellation of nonelected claims or other appropriate action (37

CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 12-16, 18-24, 38-42, 44-50, 64-68, and 70-76 are rejected under 35 U.S.C. 103(a)

as being unpatentable over "Complex Queries in XML-GL" in view of Williams (U.S. patent

No. 6,591,272 B1).

As to claim 1, "Complex Queries in XML-GL" teaches a method for generating data in a self-expanding data package in a computer system comprising:

generating one or more values in a set of one or more constant lists and storing said one or more values in the self-expanding data package (see section 2. Preliminary Overview of XML-GL);

generating one or more calculations that operate on one or more values in the set of one or more constant lists (see section 3. Simple Queries and see section 4. Complex Queries);

expanding the self-expanding data package into an expanded table having expanded table rows, by combining every value in each constant list with any combination of values from remaining parameters and performing the one or more calculations on the one or more values (see section 4.2 Cartesian Product).

"Complex Queries in XML-GL" does not

(a) teach a computer system, and

(b) storing said one or more calculations in the self-expanding data package and transmitting the self-expanding data package to a second computer system that expands the self-expanding data package into an expanded table having expanded table rows.

Williams teaches this (a), see figure 1, reference number 12, and (b), see column 4, line 60 through column 5, line 29. Therefore, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to have modified "Complex Queries in XML-GL" to include the teachings of Williams because they would allow the client (second) computer

to assemble final objects from pseudo-objects and metadata into the format required by the

software on the client computer (see Williams, column 5, lines 25-29).

As to claims 13, 39, and 65, "Complex Queries in XML-GL" as modified, teaches further

comprising, generating one or more basic table data having one or more table rows, and storing

said one or more basic table data in the self expanding data package wherein the self-expanding

data package is further expanded by combining every value in each constant list with each basic

table row (see "Complex Queries in XML-GL", section 2. Preliminary Overview of XML-GL

and see section 4.2 Cartesian Product).

As to claims 14, 40, and 66, "Complex Queries in XML-GL" as modified, teaches

wherein one or more calculations are applied to test validity of the expanded table rows, and only

those expanded table rows that are valid are maintained in the expanded table (see "Complex

Queries in XML-GL", section 4.2 Cartesian Product, where it is obvious that "vehicles more

recent that 1998" is a calculation that would remove all vehicles older than 1998 during the

execution of the operation).

As to claims 15, 41, and 67, "Complex Queries in XML-GL" as modified, teaches

wherein one or more calculations are utilized to perform a precursor conditional test that is used

to test validity of the expanded table rows (see "Complex Queries in XML-GL", section 4.2

Cartesian Product, where it is obvious that "vehicles more recent that 1998" is a calculation that

would remove all vehicles older than 1998 during the execution of the operation and that this

operation would occur before the combining to prevent unnecessary combining or records that would later be removed).

As to claims 16, 42, and 68, "Complex Queries in XML-GL" as modified, teaches wherein one or more calculations are utilized to provide additional data used in the expanded table (see "Complex Queries in XML-GL", section 3.3 Construction).

As to claims 18, 44, and 70, "Complex Queries in XML-GL" as modified, teaches wherein one or mote calculations provide for eliminating duplicate expanded table rows (see section 4.1 Union and Difference "if a <model> element satisfies both conditions it will appear only once in the RHS of the query").

As to claims 19, 45, and 71, "Complex Queries in XML-GL" as modified, teaches wherein the self-expanding data package is written in extensible markup language (XML) (see "Complex Queries in XML-GL", section 2. Preliminary Overview of XML-GL).

As to claims 20, 46, and 72, "Complex Queries in XML-GL" as modified, teaches wherein one or more calculations are selected through a graphical user interface (see "Complex Queries in XML-GL", section 1. Introduction).

As to claims 21, 47, and 73, "Complex Queries in XML-GL" as modified, teaches

wherein the self-expanding data package is transmitted across a network (see Williams, see

column 4, line 66 through column 5, line 33 and see figure 3, reference numbers 30-33).

As to claims 22, 48, and 74, "Complex Queries in XML-GL" as modified, teaches

wherein one or more calculations comprise one or more filters that limit results displayed from

the expanded table rows (see "Complex Queries in XML-GL", section 2. Preliminary Overview

of XML-GL, page 889, column 2, "2. The match part", and see section 3.2 Join).

As to claims 23, 49, and 75, "Complex Queries in XML-GL" as modified, teaches

wherein an editor is used to directly edit the self-expanding data package (see section 1.

Introduction).

As to claims 24, 50, and 76, "Complex Queries in XML-GL" as modified, teaches

wherein logic for expanding the data package into the expanded table is fully defined within the

data package and the data (see section 2. Preliminary Overview of XML-GL).

As to claim 38, "Complex Queries in XML-GL" teaches an apparatus for generating data

in a self-expanding data package in a computer system comprising:

(b) generating a self-expanding data package and storing the self-expanding data

package, wherein the self-expanding data package comprising:

(i) one or more values in a set of one or more constant lists; and

(ii) one or more calculations that operate on one or more values in the set of one or more constant lists;

expanding the self-expanding data package into an expanded table having expanded table rows, by combining every value in each constant list with any combination of values from remaining parameters and performing the one or more calculations on the one or more values.

"Complex Queries in XML-GL" does not teach:

(a) a computer system having a memory and a data storage device coupled thereto; one or more computer programs, performed by the computer system, and storing the self-expanding data package in the memory; and

(b) the self-expanding data package is transmitted to a second computer system that expands the self-expanding data package into an expanded table having expanded table rows.

Williams teaches this (a), see column 4, lines 48-59, and (b), see column 4, line 60 through column 5, line 29. Therefore, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to have modified "Complex Queries in XML-GL" to include the teachings of Williams because they would allow the client (second) computer to assemble final objects from pseudo-objects and metadata into the format required by the software on the client computer (see Williams, column 5, lines 25-29).

As to claim 64, "Complex Queries in XML-GL" teaches an article of manufacture comprising a program storage medium readable by a computer and embodying one or more

instructions executable by the computer to perform a method for generating data in a self-

expanding data package in a computer system, the method comprising:

generating, in the self-expanding data package, one or more values in a set of one or more

constant lists;

generating, in the self-expanding data package, one or more calculations that [can]

operate on one or more values in the set of one or more constant lists;

expanding the self-expanding data package into an expanded table having expanded table

rows, by combining every value in each constant list with any combination of values from

remaining parameters and performing the one or mote calculations on the one or more values.

"Complex Queries in XML-GL" does not teach:

(a) an article of manufacture comprising a program storage medium readable by a

computer and embodying one or more instructions executable by the computer, and

(b) wherein the self-expanding data package is transmitted to a second computer system

that expands the self-expanding data package into an expanded table having expanded table

rows.

Williams teaches this (a), see column 4, lines 48-59, and (b), see column 4, line 60

through column 5, line 29. Therefore, it would have been obvious for a person of ordinary skill

in the art at the time the invention was made to have modified "Complex Queries in XML-GL"

to include the teachings of Williams because they would allow the client (second) computer to

assemble final objects from pseudo-objects and metadata into the format required by the

software on the client computer (see Williams, column 5, lines 25-29).

5.   Claims 17, 43, and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over

"Complex Queries in XML-GL" in view of Williams (U.S. patent No. 6,591,272 B1) as applied

to claims 12-16, 18-24, 38-42, 44-50, 64-68, and 70-76 above, and further in view of McClendon

et al. (U.S. patent No. 6,625,619 B1).

As to claims 17, 43, and 69, "Complex Queries in XML-GL" as modified, does not teach

wherein the self-expanding data package comprises product data for use in a computer-aided

design application.

McClendon et al. teaches this, see column 12, lines 23-60. Therefore, it would have been

obvious for one of ordinary skill in the art at the time the invention was made to have modified

"Complex Queries in XML-GL" to include the teachings of McClendon et al. because these

teachings would allow data from one application be used in many different software applications

while designing products (see abstract).

Response to Arguments

6.   Applicant's arguments with respect to claims 12-24, 38-50, and 64-76 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

U.S. patent No. 5,515,269 to Wilis et al. for teaching producing a bill of material for a

configured product and checking to ensure the product configuration is valid (Figures 6a and 6b).

U.S. patent application publication No. 2002/0156694 A1 to Christensen et al. for

teaching customized build to order assembly (see paragraphs 0048-0051).

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The

examiner can normally be reached on Monday through Friday 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

jfb
17 Oct 2005

SAM RIMELL
PR!   EXAMINER